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DOCKET FILE COPY ORIGINAL **BEFORE THE**

FEDERAL COMMUNICATIONS COMMISSION

FEDERAL COMMUNIC	CATIONS COMMISSION (
Washingto	on, DC 20554	•
In the Matter of		si ^{re}
Amendment of Section 73.202(b)) MM Docket No. 97-178	
Table of Allotments) RM-8329	
FM Broadcast Stations) RM-8739	
(West Hurley and Rosendale, New York,)	
North Canaan and Sharon, Connecticut))	

To: Chief, Allocations Branch Policy and Rules Division Mass Media Bureau

REPLY COMMENTS AND MOTION TO DISMISS COUNTERPROPOSAL OF SUNY

Sacred Heart University, Inc. ("Petitioner"), by its counsel, hereby replies to the comments submitted by Eric P. Strauss ("Strauss"); Radio South Burlington, Inc. ("RSB"); Aritaur Communications, Inc. ("Aritaur"); Historic Hudson Valley Radio, Inc. ("HHV") and Raymond A. Natole ("Natole"). In addition, petitioner moves to dismiss the Counterproposal submitted by State University of New York ("SUNY") as defective. In support hereof, Petitioner states as follows:

BACKGROUND

1. Petitioner seeks the allotment of Channel *277A to North Canaan, Connecticut as a noncommercial educational reserved channel to provide a first local service, coverage to substantial noncommercial educational white and gray areas and enable Station WQQQ to increase its effective radiated power to 6 kW by the substitution of Channel 273A for Channel 277A at Sharon, Connecticut. In a separate proceeding (MM Docket No. 93-17), Channel 273A

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had been allotted to Rosendale, New York. That proceeding is still pending on reconsideration at the Commission. The Notice of Proposed Rule Making, 12 FCC Rcd 11978 (1997), acknowledged the existence of nine applications for Channel 273A at Rosendale and proposed to substitute Channel 255A at Rosendale and, to the extent necessary, indicated that these applicants may be required to amend their proposed transmitter sites to conform to Channel 255A¹. The Notice proposed to allot a first local service to either North Canaan or West Hurley and sought comments on the comparative merits of the communities.

2. In its comments, Petitioner argued that the Commission's priorities in Revision of FM Assignment Policies and Procedures, 90 FCC Rcd 88 (1982), would favor North Canaan over West Hurley based on its larger population (3,428 persons to 2,252 persons), the substantial need for noncommercial educational ("NCE") service in the North Canaan area (17,787 persons would receive a first NCE service and 11,865 persons would receive a second NCE service) and an increase in service for Station WQQQ, Sharon, Connecticut, on its new channel. On the other hand, Natole filed comments merely reiterating his support for the allotment of Channel 255A at West Hurley and failing to make any attempt to demonstrate that his West Hurley proposal is more deserving than Petitioner's North Canaan proposal. The Commission can properly conclude that Natole concedes the comparative benefits favor North Canaan and that West Hurley could only obtain the allotment of Channel 255A by default.

COMMENTS OF ARITAUR COMMUNICATIONS, INC.

3. Aritaur did attempt to make a comparative showing of the public interest benefits of the North Canaan and West Hurley proposals. Aritaur states at the outset that it has applied

¹ Sacred Heart University, Inc. is an applicant for Channel 273A at Rosendale. However, its proposed transmitter site meets the Commission's spacing rules on Channel 255A as well as Channel 273A.

for Channel 273A at Rosendale and its proposed site does not comply with the proposed substitution of Channel 255A. Thus, Aritaur would prefer to have the West Hurley proposal granted to avoid amending its transmitter site. Aritaur argues that North Canaan is not a community for allotment purposes.

- 4. However, North Canaan is much more than simply a political division of Litchfield County, as Aritaur suggests. It is not enough to look at a map, the census and the worldwide web to determine community status as Aritaur appears to have done. One must instead look to its history and character to make such an evaluation. In *Trade, Tennessee*, 69 RR 2d 1731 (1991), cited by Aritaur, the Commission explained that the criteria necessary to be considered a "community" include political, social or business organizations, municipal services, incorporation and local government. North Canaan possesses these characteristics.
- 5. An examination of North Canaan reveals that it has distinct community attributes. This is not a new community; it was incorporated in 1858 by separation from the Town of Canaan. Settlement of the area had begun by 1738. The oldest railroad depot in the U.S., operated without interruption since construction, is located in North Canaan. The town's Douglas Library is the fourth oldest library in the state of Connecticut. Today, North Canaan has a separate school district for pre-kindergarten through eighth grade, and many different places of worship, including the North Canaan Congregational Church. North Canaan has a separate listing in the Government blue pages in the phone book. A Board of Selectman, Town Meeting and a Board of Finance govern North Canaan. It has its own Housing Authority, Planning Committee, Probate Court, Sewer Plant, Town Clerk and Tax Collector. There is a state police barracks in North Canaan, as well as a volunteer Fire Company and volunteer ambulance corps. See Exhibit 1.

- 7. For recreational purposes North Canaan boasts Lawrence Field, which contains tennis courts and a playing field, and Whiting Drive Complex, which includes North Canaan Community Pool, tennis courts, a little league field and an ice skating pond.
- 8. The principal industries in North Canaan include dairy farming, manufacture of medical and surgical instruments, limestone products, electronic assemblies, magnesium and calcium metals, sand and gravel. Several local businesses have taken on the community name, such as North Canaan Aviation, Inc. and North Canaan X-Tra Mart. There is also a Chamber of Commerce which currently has approximately 85 members.
- 9. There are several museums in North Canaan, such as the C.H. Pease Museum, the Canaan-Falls Village Historical Society Museum, and the Connecticut Railroad Historical Association Museum and Caboose. For the past 33 years, there has been an annual Railroad Days festival. In 1997 this event was held for 10 consecutive days in the middle of July and included activities such as pony rides, used book sales, softball tournament, country-western hoedown, and a professional arts and crafts show.
- 10. The above information illustrates that North Canaan is much more than just a part of Litchfield County. It has a geographically identifiable population grouping and its own local government, recreational facilities, municipal services, industry, culture and history. Thus, under *Trade, Tennessee*, supra, North Canaan is a "community" for allotment purposes.
- On a comparative basis, Aritaur notes that the West Hurley proposal could provide 60 dBu service to 280,818 persons within an area of 3,055 square kilometers, that Channel 255A can be allotted to West Hurley without a site restriction whereas the allotments of Channel 255A to Rosendale and Channel 277A to North Canaan require site restrictions and that the West Hurley proposal will avoid the transmitter site relocation for the Rosendale applicants.

However, none of these minor priority 4 benefits are of the same magnitude as a first local service to a larger population under priority 3 and a first and second noncommercial educational service to substantial population areas, under priorities 1 and 2. See Revision of FM Assignment Policies and Procedures, supra.

12. Thus, petitioner's proposal to allot Channel *277A to North Canaan should be comparatively favored over the West Hurley proposal.

COMMENTS OF RADIO SOUTH BURLINGTON, INC.

change to Channel 273A in order to have a larger area for a new transmitter site and to increase its power to 6 kW. In particular, the availability of a larger site area could solve RSB's problem in seeking waiver for the new site it has specified in its pending application (BPH-960517IB). At the very least, the new channel will not harm RSB's chances for a grant of a waiver for its pending application. RSB's only condition in accepting the new channel is that it be reimbursed for its costs in changing channel. Petitioner hereby reaffirms its willingness to reimburse RSB for its reasonable costs in changing channels should petitioner become the ultimate permittee of Channel *277A at North Canaan.

COMMENTS OF HISTORIC HUDSON VALLEY RADIO, INC.

14. HHV argues that West Hurley lacks the requisite indicia of community status to be eligible for a channel allotment. In particular, HHV notes that West Hurley lacks definable boundaries, has no form of local government and relies on the Town of Hurley for its residents' needs. As HHV notes, petitioner questioned the status of West Hurley as a community in need of its own local service. In its own comments, Petitioner decided not to pursue this argument further because even assuming community status, the North Canaan's proposal is far superior

and would be preferred on a comparative basis. However, petitioner agrees with the assertions made by HHV as an additional reason to favor North Canaan over West Hurley.

COMMENTS OF ERIC P. STRAUSS

- 273A at Rosendale to accommodate the substitution of Channel 255A. As such, Strauss makes the argument that in view of the recent enactment of auction authority in the Balanced Budget Act of 1997, the Commission should place greater value on the revenue that commercial channels can provide to the U.S. Treasury over noncommercial educational channels which are not to be auctioned. Strauss would have the Commission set a new policy which favors commercial service over noncommercial service due to the auction process. The new policy would require an "extraordinary showing" to justify receiving a commercial channel for noncommercial educational use.
- 16. Petitioner maintains that Congress had no such policy in mind to favor commercial allotments over noncommercial educational allotments whenever a choice was involved. The purpose of the auction legislation was to resolve mutually exclusive applications for new commercial channels. Strauss cites no support for his theory in the legislative history. Strauss cannot achieve such an interpretation by seeking a ruling in the context of a specific proposal. Instead Strauss would need to file a generic petition which asks for preferential treatment for all requests for new commercial service when in conflict with noncommercial educational service. There is no reason to single this case out for disparate treatment particularly where Petitioner has shown an overriding need for noncommercial educational service in the North Canaan area.

COMMENTS AND COUNTERPROPOSAL OF SUNY

- Rhinebeck, New York, as its first local service and states it will apply for the channel. In addition, SUNY supports the substitution of Channel 255A for Channel 273A at Rosendale. By this proposal, SUNY effectively concedes that it may not be successful in its attempts to have its license modified to Channel 273A or Channel 255A at Rosendale. Thus, in a desperate attempt to obtain a full time station, SUNY chooses a "larger" community in order to gain a comparative preference, a position for which it unjustly criticized Petitioner when it filed its initial comments in this proceeding on December 13, 1995. See "Comments on Petition for Rule Making" at page 3.
- However SUNY has failed to submit a channel study to support its position that Channel *273A can be allotted to Rhinebeck. The submission of a channel study has consistently been required in all allotment rule making proceedings and the failure to do so makes the counterproposal unacceptable. See e.g., Rockport, TX et al., 4 FCC Rcd 8075 (1989); Springdale, AR, et al. 4 FCC Rcd 674 (1989); recons. 5 FCC Rcd 1241 (1990); and Columbia, CA, 6 FCC Rcd 3292 (1991).
- 19. Although it is clear that the Commission cannot accept the Rhinebeck counterproposal due to its prejudicial impact on Petitioner's proposal, Petitioner would like to offer additional comments to the SUNY proposal. As indicated in the attached Engineering Statement from Communications Technologies, Inc., SUNY has requested a site preference for the Rhinebeck channel. As one potential applicant, SUNY is not entitled to a site preference for the reference coordinates. See e.g., Springdale, AR et al., supra. Presumably, SUNY selected

this site in order to maximize the noncommercial educational white and gray areas that it could provide. However those areas (2,925 white area population and 11,334 gray area population) are still less than the comparable benefits offered by Petitioner's proposal.

- 20. Furthermore, by specifying a particular site SUNY failed to state that a principal community contour (70 dBu) can be provided to Rhinebeck. The attached Engineering Statement indicates that there is no line-of-sight to Rhinebeck from the proposed reference coordinates.
- Rhinebeck, New York. However, the Town of Rhinebeck does not possess the necessary factors to elevate it to community status. It is the *Village* of Rhinebeck, not the Town, which has the required community attributes. The designation of "Town" can be misleading as it tends to create the idea of an actual community. In <u>Barnstable, Nantucket and Falmouth, MA</u>, 18 FCC 2d 663 (1969), the Commission noted that usually "town" means a "specific settled center of population." However, the Commission went on to explain that in New England states "towns" are "sometimes geographic and political subdivisions of counties" and the "Commission's FM Table of Allotments contains assignments to both towns and individual communities within a town." In this instance the Town is in fact the larger subdivision of the county, while the Village is the community center.
- A phone call to Ms. Pat Coon, Assistant Village Clerk, revealed that the Town of Rhinebeck is a surrounding rural and agricultural area, while the main core of business is located in the Village. The local government for the Village consists of a Board and a Mayor. The Starr Library is located within the Village of Rhinebeck, as is the Fire Department. There is a Village

Police Department, however there is no Township Police Department. See also the attached Engineering Statement.

Thus, SUNY should have considered the population of the Village of Rhinebeck rather than the population of the Town of Rhinebeck in its petition for allotment of Channel 273A. According to the 1990 U.S. Census, the Village has a population of 2,725. As such, North Canaan's population is larger and should be preferred on a comparative basis if the Commission accepts the Rhinebeck proposal.

CONCLUSION

Sacred Heart University, Inc. urges the Commission to allot Channel *277A to North Canaan, Connecticut as its first local service and thereby provide noncommercial educational service to substantial unserved and underserved areas, and an increase in coverage for Station WQQQ, Sharon, Connecticut. Sacred Heart University, Inc. has clearly demonstrated that North Canaan is a community deserving of its own local service. The West Hurley proposal has not been shown to be comparatively superior and the Rhinebeck proposal is unacceptable for several reasons and comparatively inferior as well.

Respectfully submitted,

SACRED HEART UNIVERSITY, INC.

 $\mathbf{R}\mathbf{v}$

Mark N. Lipp

Ginsburg, Feldman and Bress 1250 Connecticut Avenue, NW Washington, DC 20036

Its Counsel

ENGINEERING STATEMENT PREPARED ON BEHALF OF SACRED HEART UNIVERSITY, INC. IN OPPOSITION TO COUNTERPROPOSAL BY STATE UNIVERSITY OF NEW YORK FOR CHANNEL 273A AT RHINEBECK, NEW YORK

OCTOBER 1997

ENGINEERING STATEMENT PREPARED ON BEHALF OF SACRED HEART UNIVERSITY, INC. IN OPPOSITION TO COUNTERPROPOSAL BY STATE UNIVERSITY OF NEW YORK FOR CHANNEL 273A AT RHINEBECK, NEW YORK

OCTOBER 1997

SUMMARY

The following engineering statement has been prepared on behalf of Sacred Heart University, Inc. ("Sacred Heart"), petitioner in MM Docket No. 97-178, to add Channel 277A at North Canaan, Connecticut and the substitution of Channel 273A for Channel 277A at Sharon, Connecticut. On October 6, 1997, State University of New York ("SUNY") filed Comments and a counterproposal in the instant Rulemaking proceeding. SUNY's counterproposal is to add Channel 273A at Rhinebeck, New York and delete Channel 273A from Rosendale, New York. Sacred Heart opposes SUNY's counterproposal based on the engineering issues described fully herein.

SECTION 73.207 COMPLIANCE

Review of SUNY's Comments and counterproposal reveals that neither the engineering nor legal portions of the counterproposal state that the proposed allotment meets the requirements of *Section 73.207* of the Rules. Further, an allocation study which would support *Section 73.207* minimum distance separation compliance was not included in the counterproposal.

SECTION 73.315(a) COMPLIANCE

Compliance with *Section 73.315(a)* requires that a proposed allotment be capable of placing the 70 dBu contour over the proposed community of license. Neither the engineering nor legal section of the SUNY counterproposal state that city grade service will be provided to the community of Rhinebeck from the proposed allotment coordinates. The engineering portion of the counterproposal includes no computation of the 70 dBu city grade service contour. The engineering portion of the counterproposal does not include a coverage map depicting the 70 dBu contour location and the relationship of the 70 dBu contour to the community boundary of Rhinebeck, New York.

SECTION 73.315(b) VIOLATION

SUNY's counterproposal for Channel 273A at Rhinebeck, New York does not comply with *Section* 73.315(b) of the Commission's Rules as applied in an allotment setting. Based on <u>Bald Knob and Clarenda Arkansas</u>, 6 FCC Rcd 7435, 7436 (Assistant Chief, Allocations Branch 1991), line-of-sight must be obtained over the entire community. In <u>Jefferson City</u>, <u>Tennessee</u>, 10 FCC Rcd 12207, 12209 (Chief, Allocation Branch 1995), an allotment was denied because the petitioner failed to demonstrate the existence of a site that could provide line-of-sight to the entire community.

SUNY states in its counterproposal that North Latitude 41° 53′ 00″, West Longitude 73° 46′ 30″ represents the proposed allocation coordinates. SUNY's 60 dBu NCE coverage map depicts these coordinates and a radiation center 257 m AMSL which is presumed to be the elevation associated with a 100 meter HAAT. SUNY states that the community reference coordinates are N.L. 41-55-36, W.L. 73-54-47. *Figure 1*, attached, is a terrain profile between SUNY's proposed Rhinebeck allotment and community reference coordinates. It is noted that there is no line-of-sight to the proposed community reference coordinates. In fact, there are two significant terrain obstructions along the path. This condition clearly violates *Section* 73.315(b) of the Commission's Rules and Regulations.

It is noted that the community reference coordinates selected by SUNY are not those found in either the U.S. Atlas or the U.S. Census databases for Rhinebeck, New York. The U.S. Atlas reference coordinates are most typically used as the community reference point. The U.S. Atlas reference coordinates for Rhinebeck are N.L. 41-55-54, W.L. 73-53-40. *Figure 2* is a terrain profile for the proposed SUNY Rhinebeck, New York allotment site to the U.S. Atlas reference coordinates. On this path, there are four obstructions on the path into the community. This condition is also a clear violation of *Section 73.315(b)* of the Commission's Rules.

RHINEBECK POPULATION

SUNY states that the town of Rhinebeck, New York is listed in the 1990 U.S. Census as well as the Rand McNally Atlas and Marketing Guide as a community attributed with a population of 7,558 persons. Affiant

has utilized 1990 U.S. Census data and the 1996 Rand McNally road Atlas to determine the population of Rhinebeck. Both documents show a Rhinebeck Village with a population of 2,725 persons. The U.S. Department of Commerce, Bureau of Census publication, "County and City Data Book - 1994" includes a listing for Rhinebeck Village and Rhinebeck Town, both in Dutchess County. Rhinebeck Town is listed as having a population of 7,558 persons.

AT&T long distance services was contacted in an attempt to determine the difference between Rhinebeck Village and Rhinebeck Town. The results of affiant's inquiries were as follows:

There is no AT&T long distance listing for Rhinebeck Town Government offices.

The number for Rhinebeck Town Police, 914-871-5522, is for the State Police and Dutchess County Sheriff's Office. There is no Township Police Department.

The number for the Rhinebeck School District, 914-871-5522, is for a regional school district, not Rhinebeck itself, made up of Clinton Corners, Milan, Staatsburgh, Hope Park, Red Hook and Rhinebeck.

Conversely, the Village of Rhinebeck does have its own Police Department, post office, and is the location of local business in the area. Pat Coon, Assistant Village Clerk, 914-876-7015, advised the affiant that the Village has local government, businesses, post office, police, etc., while the Town is a rural area without these indicia.

Given the above, it would appear that substantial question exists concerning the viability of the Town of Rhinebeck to meet the Commission's criteria as a community of license. Moreover, Rhinebeck Town is located in the New York-Northern New Jersey-Long Island Metropolitan area while the community of North Canaan, Connecticut is located entirely out of a metropolitan area as defined by the U.S. Census.

CONCLUSION

SUNY's counterproposal to allot Channel 273A to the Town of Rhinebeck, New York fails to meet

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the threshold showing of acceptability for a valid allotment. The counterproposal includes no allocation study, no showing of city grade service and fails to comply with Section 73.315(b) of the Commission's Rules and Regulations.

The foregoing was prepared on behalf of Sacred Heart University, Inc. by Clarence M. Beverage of Communications Technologies, Inc., Marlton, New Jersey, whose qualifications are a matter of record with the Federal Communications Commission. The statements herein are true and correct of his own knowledge, except such statements made on information and belief, and as to these statements he believes them to be true and correct.

Clarence M. Beverage

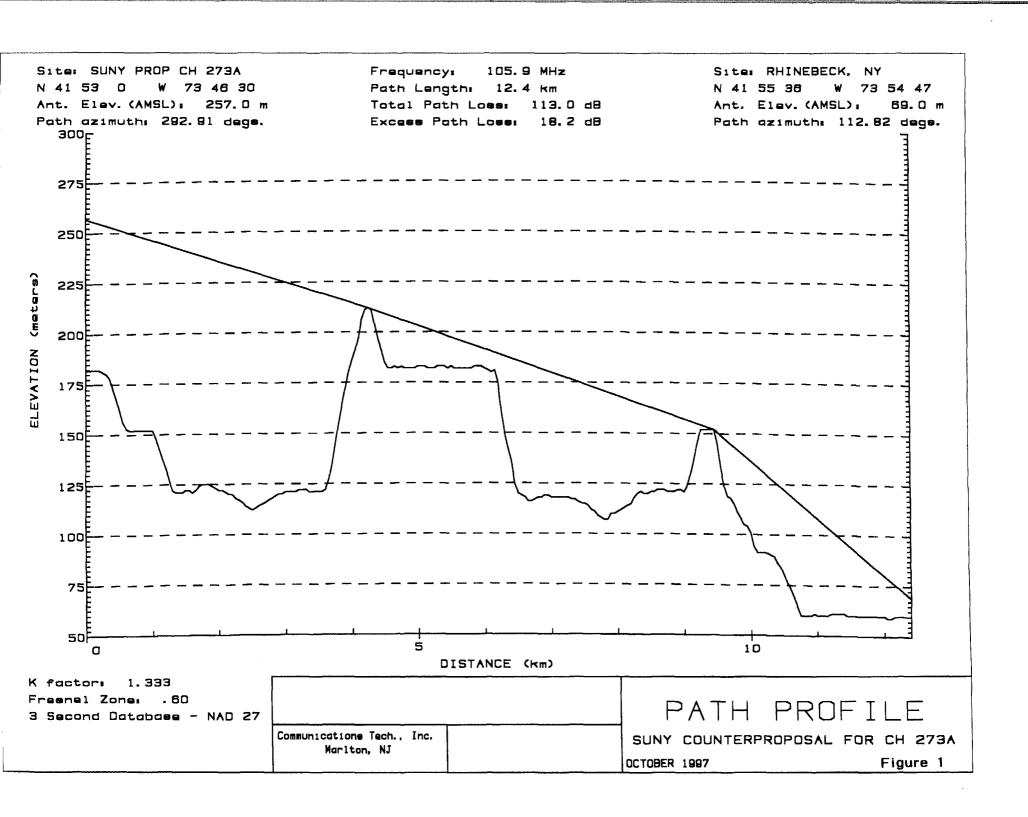
for Communications Technologies, Inc. Marlton, New Jersey

SUBSCRIBED AND SWORN TO before me,

this 20th day of October, 1997,

Lether G. Sperbeck, NOTARY PUBLIC

ESTHER G. SPERBECK NOTARY PUBLIC OF NEW JERSEY MY COMMISSION EXPIRES OCT. 15, 2002



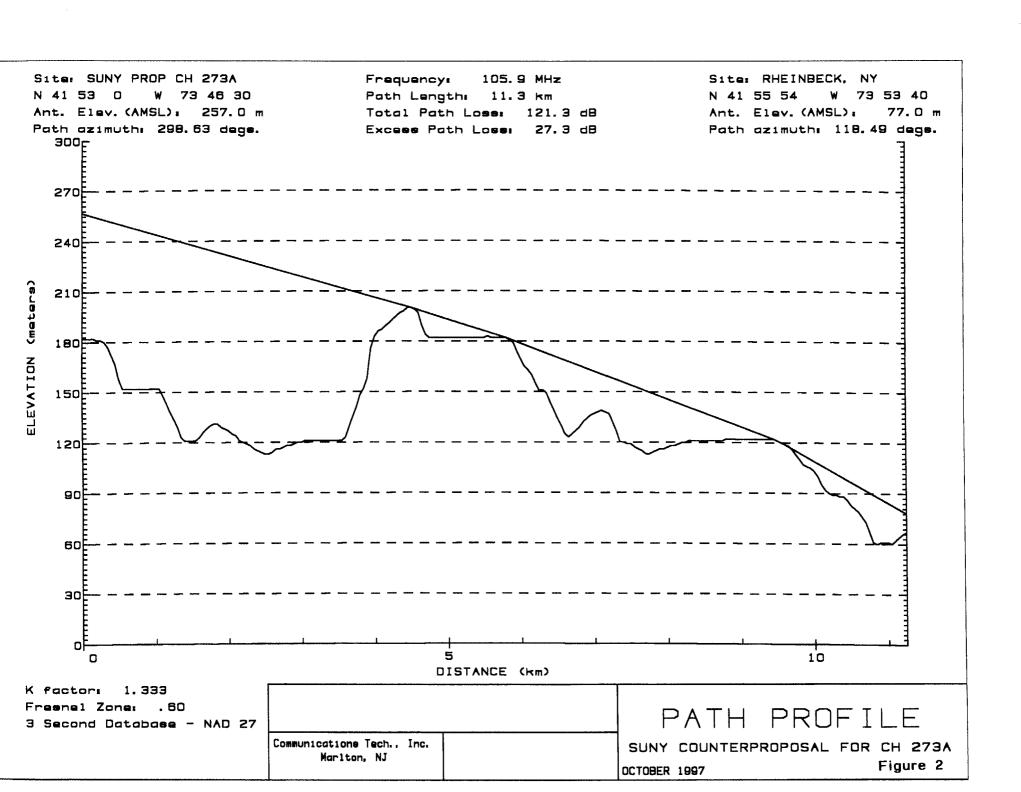


EXHIBIT 1

NORTH CANAAN. Litchfield County.—(Form of government, selectmen, town meeting, board of finance.)—Inc., May, 1858; taken from Canaan. Area, 19.6 sq. miles. Population, est., 3,110. Voting district, I. Principal industries, agriculture, manufacture of medical and surgical instruments, lime and limestone products, magnesium and calcium metals, electrical coils, sand and stone. Transp.—Passenger: Served by buses of The Arrow Line from Albany, NY to Hartford and New Haven, and by Bonanza Bus Lines from Albany to New York City. Freight: Served by Boston & Maine Corporation and numerous motor common carriers. Post offices, Caraaan and East Canaan. Rural free delivery from both post offices.

TOWN OFFICERS. Clerk and Reg. of Vital Statistics, Carolyn C. O'Connor; Hours, 9:30 A.M.-12 Noon, 1-4 P.M.. Mon. through Fri.; Address, Town Hall, 100 Pease St., P.O. Box 338, Canaan 06018; Tel., 824-7246.—Asst. Clerks and Asst. Regs. of Vital Statistics, Nancy C. Bagnaschi, Jean A. Jacquier, Carroll A. Segalla.—Selectmen, 1st, Douglas E. Humes, Jr. (R) (P.O. 876, Canaan, Tel., 824-7313), Henry G. Carley, Jr. (R), Thomas J. Gailes (D).—Treas., Francis W. McCarthy.—Bd. of Finance, Wheaton B. Byers, Chm., Louis E. Allyn II, Shannon L. May-Vernali, Francis D. McGuire, Hatsy Taylor, John F. Warner.—Tax Collector, Ross A. Beaujon.—Bd. of Tax Review, Edwin K. Gow, David W. Jacquier, Joseph W. Strekas.—Assessor, vacancy.—Registrars of Voters, Evelyn E. Hedus (D), Clara B. Curtis (R).—Supt. of Schools, Marvin Maskovsky.—Bd. of Education, David A. Beaujon, William G. Godburn,

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TOWNS, CITIES AND BOROUGHS

Patricia A. Heinsman, Michael A. Perry, 1995; Shelly R. Bunce, Martha A. Scott, Susan E. Warner, vacancy, 1997.—Planning Comm., Perry F. Gardner. Acting Chm., Warren Foley, Pauline R. Moore, George W. Schaefer, Robert S. Segalla; Alternate, Edward R. Osborne.—Housing Auth., Scott A. Hylton, Chm., Beverly A. Becker, Harry W. Boyles, Laura Byers, Sally J. Pollard.—Conservation and Inland Wetlands Comm., Suzanne Coe, Chm., Tom Foley, Jr., Serigo L. Ronzani, Frederick Ruggles, N. Bruce Zinke.-Agent for the Elderly, Nancy E. Hand.—Dir. of Health, Bruce Janelli, M.D. (P.O., Canaan).— Library Directors, Oliver F. Eldridge, Edward J. Heinsman, Lynne H. Martin, Bernice E. Olt, Marjorie A. Stevenson, Ruth B. Thompson.-Municipal Historian, Fred Hall.-Recreation Comm., Michael Congloque, Chm., David L. Beaujon, Patricia J. Boyles, Jill S. Ghi, William Godburn, Debra M. Hester, Mark W. Hickey, John H. Matheson, Lynn C. Nania.—Building Inspector, Anthony A. Ghi.-Building Code Bd. of Appeals, Tony Zavagnin.-Sanitarian Ralph H. Stanton, Jr.—Chief of Fire Dept., Charles P. Perotti; Deputy, Richard J. Weaver.-Fire Marshal, Edward J. McGuire.-Civil Preparedness Dir., Edward H. Scott.-Town Attys., Judith Dixon (45 Center St., Winsted), Catherine G. Roraback (P.O. 935, Canaan).—Justices of the Peace, Roger Festa, Eugene Freund, Anthory G. Gandolfo, Nancy L. Gandolfo, Darinda L. Humes, Eugene P. Kisielewski, Richard Koneazny, Lynne H. Martin, Clementine C. McGuire, Carolyn C. O'Connor, Margaret B. Schaeffer.

NORTH HAVEN. New Haven County.—(Form of government, selectmen, town meeting, board of finance.)—Inc., Oct., 1786; taken from New Haven. Area, 21.0 sq. miles. Population, est., 21,580. Voting districts, 5. Principal industries, manufacture of aircraft components, paper boxes, miscellaneous non-metallic mineral products, cutlery, tools and general hardware, industrial chemical, miscellaneous wood products, structural clay products, fertilizers, machinery, professional and services equipment, plumbing and heating, manufacture of firearms, commercial printing, sporting goods, electrical and electronic cable and parts, printed circuit boards, aluminum strip mill, steel fabrication, food distribution, die casting, ceramic products, milt and products, scrap reduction. Transp.—Passenger. Served by Amtrak and buses of The Short Line of Conn., Inc. from New Haven and Hartford; Conn. Transit from New Haven. Freight: Served by Conrail and numerous motor common carriers. Post office, North Haven.

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GOVERNMENT & MUNICIPAL GUIDE (Continued)				
Continued From Previous Page NEW HARTFORD TOWN OF ADMINISTRATIVE DEPARTMENTS B60 379-0351 - Town Carros 9 Creambooks Rd New Hitd 860 379-7677 - Zoning Office 530 Main New Hitd	Continued From Previous Column NORTH CANAAN TOWN OF EDUCATION DEPARTMENT 860 824-5149 - North Canaan Elementary School 860 824-5123 - Hoissatonic Valley Regional High School Falls Village 911 - EMERGENCY MEDICAL SERVICES	Continued From Previous Column SHARON TOWN OF FIRE DEPARTMENTS 911 - YO REPORT A FIRE STATE POLICE 911 - POLICE EMERGENCY 866 824-5457 - Troop B Canaan-Routine Calls	Continued From Previous Column UNITED STATES GOVERNMENT TRANSPORTATION DEPARTMENT Federal Aviation Administ Flight Service Station Joor Sikorsky Memorts	
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ADMINISTRATIVE DEPARTMENTS 860 562-5287 - Amessayer Office Maple Av. 860 542-6966 - Building Official Maple Av. 868 542-6978 - Dog Wayder 18 Blackberry 868 542-6072 - Fire Marshal	840 435-5181 Sewer Plant Walton 860 435-5187 Social Services 30 Salmon Kill Rd 860 435-5189 Tax Collector 27 Main Sisbry 800 854-1116 Torrington Area Health District No Toll Charge	800 829-4059 - Hearing Impaired TV/Tele-TTY No Tolt Charge From Eastern New York Telephones 235 Main Poughkeepsie NY	Wethersfield No Toll Charge 860 258-6940 - 100 Great Mandow Rd Wethersfield 800 225-5605 2 - Lieberman Joe 1 State Hartford	
A66 542 - 6072 - Fire Marstral 366 542 - 5647 - Norther Sewar District 365 542 - 5134 - Profeste Court Maple AV 867 542 - 6072 - Selectman's Office Maple Av	860 435-5182 - Town Clerks Office Main Salbry 860 433-5184 - Town Garage 52 Library Sistra 860 435-5178 - Transfer Startion Sharon Rd Salbry 860 435-5174 - Treasurer 27 Main Salbry 860 435-5190 - Zoning Administrator	No Toll Charge 800 342-3700 - Problems Ask For Problem	No Tail Charge 860 549-8463. 1 State Hartford UNITED STATES POSTAL SERVICE	
860 542-5140 - Tax Collector Maple Av 860 542-5679 - Town Clark's Office Maple Av 860 542-5117 - Town Garage Old Colony Rd 860 542-5077 - Resident Tripoper's Office Sheper's Rd	27 Main Sistry EDUCATION BEPARTMENT 860 435-9871 - Central School Lincols City Rd 860 824-5123 - Housstonic Valley Regional High School Falls Village	No Toll Charge JUSTICE DEPARTMENT 860 240-3233 - Drug Enforcement Administration 450 Main Hartford	- Zio Code Information For Connecticit - Refer To SNET Map Section In The Customer Guide Pages 860 379-6675 - For Additional Postal & Zip	
860 542-5804 - Wettand Enforcement - Zoning Enforcement - EDUCATION DEPARTMENT - B60 542-5286 - Botelle Elementary School - Regional School No 7 Winstel	911 - EMERGENCY NEDICAL, SERVICES FIRE DEPARTMENT	860 240-3245 - US Marshal's Office 860 240-3360 - After Hours 203 773-2210 - US Trustee 105 Court New Haven MEDICARE BULIE CROSS & BUUE SHIELD OF	Code Information POST OFFICES 860 824-7475 - Canaan 9 Church N Chan - Colebrook 560 Colebrook Rd Clbrk SA0 824-8477 - Feet Canaan	
160 342-5770 - School Nurse 860 379-0759 - Superintendent Of Schools 98 authors Dr. Wichester 911 - EMERGENCY MEDICAL	860 435-9961	CONNECTICUT Part A Information 203 634-0542 - Beneficiary Use Only 203 630-4728 - Provider Use Only THE METRAHEALTH INS CO	270 E Canson Rd N Cron. 860 824-7781	
SERVICES FIRE DEPARTMENT 911 - TO REPORT A FIRE 868 824-0100 - For Other Purposes 960 824-1400 - [(Busy)	SCHOOLS -PUBLIC - See Education Dept Under The	538 Preston Av Meriden 203 639-3000 - Part A Information 203 639-3222 - Beneficiary Use Only 203 639-3000 - Part B Information 203 237-8592 - Beneficiary Use Only	23 South Rd Harthand 860 379-2591 - West Harthand 206 Canter St Firthind 860 435-2780 - Lakerithe Main States 860 379-5029 - New Hartford 545 Main New Hit	
STATE POLICE 911 - POLICE EMERGENCY 869 542-5249 - Resident Trooper : " 869 824-5457 - Troop 8 Cansarr-Routine Calls	City Or Town In The Blue Pages SHARON TOWN OF	- 800 982-6819 - Beneficiary Use Only No Toll Charge 860 728-6783 - Beneficiary Use Only No Toll From The Hartford Area 203 639-3059 - TDD Users Only	860 542-5087 Norfolk 6 John J Curtiss Rd; 860 379-3450 Pine Meadow 377 Main New Hfd 860 379-2252 Pleasant Valley 105 River Rd Brithmatd 860 379-5250 Riverton 5 Riverton Rd Brithmatd	
NORTH CANAAN TOWN OF SERVICE COLUMN OF SERVICE C	FMERGENCY CALLS 915 - EMERGENCY MEDICAL-FIRE POLICE	203 639-3113 - Auto Response (Provider Use Only) NAVY DEPARTMENT Naval Reserve Recruiting	860 435-5072 - Salisbury Route 44 Sebry 860 364-5306 - Sharon 2 Low Rd 860 435-0199 - Taconic Twin Links Af Sebry 860 379-6675 - Winsted 328 Main VETERARS 47-4865	
911 - EMERGENCY MEDICAL-FIRE POLICE	ADMINISTRATIVE DEPARTMENTS 860 364-0205 - Assessor's Office Main	Linsley Dr Plainville Naval & Marine Corps Reserve Center 860 793-3455 - Enlisted 860 793-3457 - Officer	BEPARTMENT OF 800 827-1000 Regional Office Benefits Information And Assistance 450 Main heritord	
ADMINISTRATIVE: DEPARTMENTS 50, 824-3137: - Assessors Office 100 Pease N Cn 50, 824-3132: - Building Official 60, 824-3143: - Dog Warden 50, 824-1026., - Or 160, 824-0521: - Housing Authority I Wangum Vis	4 Old Middle Goshen	NUCLEAR REGULATORY COMMISSION 610 337-5000 NRC Region I Office Ning of Prussia PA 860 489-1633 SOCIAL SECURITY	WINSTED CITY OF-	
824-3142 - Jacobs Aves W. Main. 849-824-3140 - Pool Building 100 Pease N Char-	860 364-5224 - Town Clerk's Office Main 860 364-5127 - Town Garage Sharon Valley Rd	ADMINISTRATION 147 Litchfield Torrington 800 772-1213 - Or No Toll Charge TRANSPORTATION	WINCHESTER TOWN OF EMERGENCY CALLS	
A UIC MICORE GOSHER	860 364-1400 - Youth/Recreation Center 99 N Main	DEPARTMENT Federal Aviation Administration Flight Service Station Igor Sikorsky Memorial Arpt	911 - EMERGENCY MEDICAL SERVICES-FIRE-POLICE ADMINISTRATIVE DEPARTMENTS	
86 824-7313 - Salectmer's Office Pease. 85 824-0050 - Server Plant V Main N Cron. 85 824-3133 - Social Worter Pease. 86 824-3134 - Tai Collector Pease. 86 824-3135 - Tokin Claricy Office Pease. 86 824-3145 - Tokin Claricy Office Pease.	School Falls Village 860 364-5153 Sterror Center School 80 Hillop Rd 911 FMERGENCY MEDICAL	800 992-7433 - Pilot Weather Briefing (Call 1-800-WX BRIEF) No Toll Charge 800 972-2272 - PATWAS	860 379-5461 - Assessor's Office 336 Mag. 860 379-3818 - Building Inspector 336 Mag. 860 379-4070 - Comptonies at a 15 for all	
88 224-3143 Town Greepe 2 110 Wating Dr N Crient Continued See Nest Column	SERVICES Continued See Next Column	No Toll Charge Continued See Next Column	860 379-3818 Civis Devision Civis Continued See Next Page Continued See Next Page 1	

824-7565 PRINTING SERVICES INK 75 Main 824-0487 Prior Donald 77 Allyndale Rd -N Cnan 824-7108 Prochniak John 92 Main

824-5685 Promised Land Baptist Church 29 Granite Av -N Cnan

824-0013 Pshenishny John 39 Route 7 S

824-7398 Riva Forbes A Canaan Norfolk Rd -N Cnan 824-7033 Riva Frank 105-A Church -N Cnan

824-7956 Riva Leroy 63 Allyndale Rd -N Chan 824-7855 Riva Oresta 57 Allyndale Rd -N Chan

Riva Karl A Trescott Hill Rd -F Coan

824-7738

Perotti Jean 31 Allyndale Rd -N Cnan Perotti Marchello W Granite Av Ext

Perotti Robert 31 Lower Rd -N Cnan

Perotti Rob -East Canaan

824-4888 Perotti Robert & Laurie r Rd -N C

824-5509 824-7436

824-5553

114 Allyndale Rd -N Cnan Operation Yuli Inc Opiperi L 171 Dublin Rd

Orce Kerri & Kevin 211 W Main -N Chan

824-1426

824-1228 824-4216

Chiropractic Physicians (D.C.) (Cont'd)

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See "Furniture-New

Church Organizations

See "Religious Organizations"

Churches-Assemblies Of God

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Churches-Baha'l

Baha'l Faith 399 Platt Hill Rd Winchester - 379-1942

Churches-Baptist

Church Of Christ Baptist-Congregational -379-4766

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SUNDAY SCHOOL-9:45 AM SUNDAY SERVICES-11:00 AM & 6:30 PM 36 Newfield Rd-------- Torrington 496-8022 Pastor John Eseppi - Res ---- Harwinton 485-1467

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Churches-Congregational

CH OF CHRIST

WPTIST-CONGREGATIONAL

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379-4 - 379-4766

IRCH OF CHRIST CONGREGATIONAL

WORSHIP & SUN SCHOOL 10:00 AM CHOIR REHEARSAL 9:00 AM ge Green -----Nfk 542-5721

Christ Congregational UCC -Nfk 542-5594

Congregational Church with Hill Rd Colebrook ----379-2517

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379-7875

Churches-Congregational (Cont'd)

First Church Of Christ Congregational

-Shar 364-5002

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BAPTIST - CONGREGATIONAL SUNDAY SERVICES 10 AM CHILDRENS DISCOVERY CENTER 379-4838 -379-1778 95 N Main Wnchstr ---

First Congregational Church Of Barkhamsted ---379-5864 Old Town Hall Rd Barkbarnsted -North Congregational Church 17 Church St N New Hartford----North Congregational Church -379-2466 -379-5515 19 Church St N New Hartford-Riverton Congregational Church Riverton -379-6141 Salisbury Congregational Church 30 Main Salisbury —————————————————435-Second Congregational Church Of Hartland -379-9747 -379-8900 Winchester Center

Churches-Eastern Orthodox Christian

All Saints Of America Orthodox Christian Church 313 Twin Lakes Rd Salisbury ---824-1340

Churches-Episcopal

Christ Church Main-Sunday Services 9 AM -379-5657 -435-9290 St John's Episcopal Church -379**-**7980 -379**-**3062 51 Church Pine Meadow -Office 42 Church New Hfd -St John's Episcopal Church 42 Church New Hartford---379-3062 TRINITY EPISCOPAL CHURCH

SUNDAY WORSHIP 8 & 10:30 AM SUN SCHOOL & NURSERY 10:15 AM The Rev. Mitzi Noble, Rector -- Lake 435-2627 484 Lime Rock Rd ----

Churches-Jehovah's Witnesses

Jehovah's Witnesses Chapel Rd Winchester -379-1559

Churches-Jewish

See "Synagogues-Community"; Also "Synagogues-Conservative"

Churches-Lutheran

379-6775 St Paul's Ev Lutheran Church LC-MS 37 Prospect New Hartford ----

Churches-Lutheran (Cont'd)

ST PETERS EVANGELICAL LUTHERAN CHURCH 7 Bolton Hill Rd -------Cornwall 672-6897

Churches-Non-Denominational

Christian Fellowship At Pine Meadow -738-1343 8 Wickett New Hartford -

FAITH BIBLE CHURCH

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Rev Joseph McNally-Pastor 738-4110

- 738**-0**617 368 Main Winchester-

435-2442 NEPAUG CONGREGATIONAL CHURCH

Sunday Worship 10:15 A.M. Classes Sunday 9:00 A.M. And Wed. 7:00 P.M. Rev. Donald Shell Route 202 New Hfd -----Torrington 482-3075

Churches-Roman Catholic

Immaculate Conception Church 3 Church St N New Hartford 379-5215 Immaculate Conception Church Nfk 542-5442 4 North St -Immaculate Conception Church 60 Town Hill Rd New Hartford ——
Saint Bernard's Church New ——
St Joseph's Church 379-0144 -Shar 364-5244 -824-7078 -824-7999 ST MARY'S CHURCH

Rev. Edmund M. O'Brien Sat. Vigil 4:30 P.M. Sunday Masses 8:00 & 10:15 A.M. Lake 435-2659

Churches-Seventh-Day Adventist

Seventh-Day Adventist Church R24-5830 7 Sand Rd North Canaan

Churches-United Methodist

Canaan United Methodist Church

Church--Cnan 824-5534

Lakeville United Methodist Church

Pleasant Valley United Methodist Church Worship And Church School 8:30 & 1o AM 93 River Rd Barkhamsted-379-2157

Sharon United Methodist Church -Shar 364-5634

-379-6386

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City Listings

See "The Government & Municipal Guide In The Blue Pages'

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See "Engineers-Civil "

Claim Agencies

See "Adjusters"

Cleaners

See Also "Drapery & Curtain Clear

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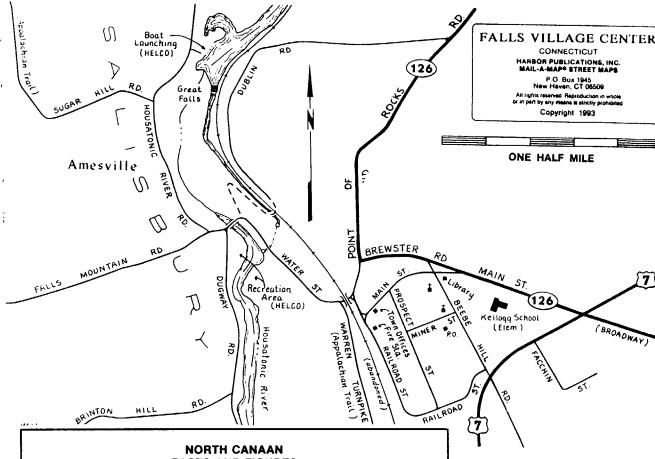




"KNOW WHERE YOU'RE GOING"



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FACTS AND FIGURES

Location: In northwest Connecticut on the east side of the Housatonic River, south of the Massachusetts state

Area: 19.6 sq. miles

Population: 3,270 (ast. 1992)

Government: Selectmen, Town Meeting, Board of Finance

Public Safety: State Police Barracks, Troop B (A3); Canaan Vol. Fire Company (B3); North Canaan Vol. Ambulance Corps (B3)

Health Services: Geer Memorial Health Center (C2); Public Health Nursing Service (Cornwall Bridge)

School: North Canaan Elementary (82)

Library: Douglas Library (B2)

Museums: C.H. Pease Museum, (nat. hist.) in the Douglas Library Bldg.; Canaan-Falls Village Historical Soc. Museum (B3); Connecticut Railroad Historical Assoc., museum and caboose at Union Station (B2)

Airport: On West Main St (A2)

Post Offices: Canaan (B2) 06018 East Canaan (C5) 06024

Places of Worship: Baptist (B2), Congregational (C5). Episcopal (B2), Methodist (B2), Roman Catholic (B3). Seventh-Day Adventist (C2)

Child Care Center: In Boy Scout building (B2)

Adult Day Center: At Geer Memorial (C2)

Elderly Housing: Wangum Village, at end of Quinn St (B2)

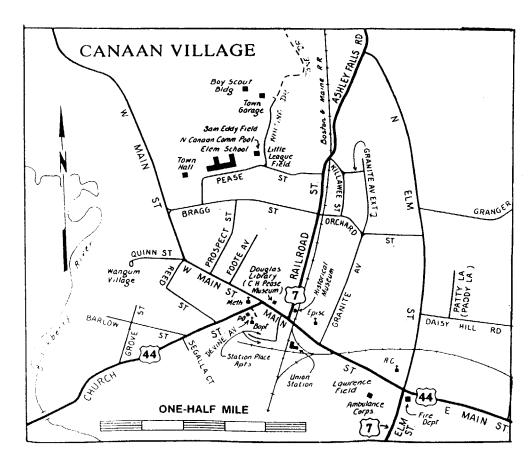
Principal industries: Disposable syringes, limestone products, electronic assemblies, gravel, sand, dairy

Lawrence Field (B3) tennis courts, playing field

Whiting Drive Complex (B2) North Canaan Community Pool, tennis courts, Sam Eddy Field. Steve Blass Little League Field, ice skating pond

Early History: The Town of North Canaan, which includes Canaan Village, was incorporated in 1858, by separation from the Town of Canaan. Settlement of the area had started in 1738.

For many years the foremost industry was the manufacture of pig iron (see photo below), power for which came from the Blackberry River. Quarrying for limestone has been an important industry from the earliest days.



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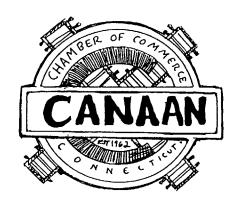
Richard T. Fitzgerald Attorney At Law Skip Barber Racing School Programs Coast to Coast Ernest P. Riva & Son, Inc. Paving Contractor Geer Nursing & Rehab Ctr. Quality Care - Community Owned Lady Hawk Western Wear Men & Ladies Apparel **Cannery Cafe SAFE Goods** For Healthy Indoor Environments Tallon Lumber Inc. Considine Painting Co. John Considine East Farms Kennel **Meyer Associates** Francis Meyer

STREET MAP OF

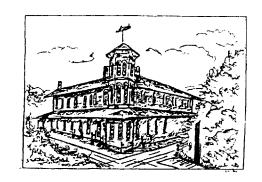
NORTH CANAAN







EMERGENCY PHONE NUMBERS
Fire......824-0100
Police......824-5457
Medical Service......824-0100



CERTIFICATE OF SERVICE

I, Lisa M. Balzer, a secretary in the law firm of Ginsburg, Feldman and Bress Chartered, do hereby certify that I have this 21st day of October, 1997, caused to be mailed by first class mail, postage prepaid, copies of the foregoing "REPLY COMMENTS AND MOTION TO DISMISS COUNTERPROPOSAL OF SUNY" to the following:

A. Wray Fitch
Gammon & Grange
8280 Greensboro Drive
7th Floor
McLean, VA 22102-3807
(Counsel to Raymond A. Natole)

Dennis Jackson President Radio South Burlington, Inc. Station WQQQ 19 Boas Lane Wilton, CT 06897-1301

Barry Friedman, Esq. Thompson Hine & Flory, P.L.L. 1920 N Street, NW Washington, DC 20036 (Counsel to Marist College)

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Lisa M. Balzer

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